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COMMITTEE ON THE JUDICIARY

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March 8, 2006

The Honorable F. James Sensenbrenner, Jr.
Chairman, Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn HOB
Washington, DC 20515

Dear Mr. Chairman:

I am writing to request that the Committee on the Judiciary hold hearings on alleged Federal Bureau of Investigation (FBI) misconduct in its investigations of Puerto Rico's pro-independence Boricua Popular Army. As you are aware, in a letter dated February 14, 2006, Congressman Charles Rangel brought this issue of possible FBI misconduct in Puerto Rico to our attention and asked that we schedule hearings.¹ Given our Committee's oversight jurisdiction of the Department of Justice (DOJ) and the FBI, as well as the serious nature of the matters alleged here, I believe that such hearings would be important and useful.

In addition to the information contained in the February 14th letter from Congressman Rangel, I am troubled by recent media reports describing how FBI agents in Puerto Rico executed search warrants related to a domestic terrorism investigation involving the Boricua Popular Army. According to the *Associated Press*, on February 10, 2006, when conducting a search of an apartment building, FBI agents resorted to "using pepper spray on reporters and protesters."² A local Puerto Rican television station broadcasted images of the incident.³

In another media report, President of the Puerto Rican Bar Association, Julio Fontanet, said, "It's [the February 10th incident] yet another abuse of the power of the FBI in Puerto Rico.

¹Letters from the Honorable Charles B. Rangel to the Honorable F. James Sensenbrenner and the Honorable John Conyers, Jr. (February 14, 2006).

²Associated Press, *FBI Says Attacks by Activists Thwarted in Puerto Rico*, February 11, 2006.

³*Id.*

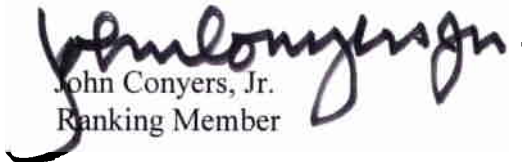
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There is grave indignation against the FBI that is growing every day.”⁴ In this same report, the Puerto Rican Association of Journalists called the attack on the reporters and photojournalists “vicious, vengeful, and antidemocratic.”⁵ According to the group, footage proved the journalists did not overstep the boundaries set by federal agents.⁶ Additionally, the FBI has been criticized for its handling of a September 23, 2005, attempted arrest of Boricua Popular Army Leader Filiberto Ojeda-Ríos, which resulted in the death of Ojeda-Ríos.⁷

Governor Aníbal Acevedo Vilá has denounced the February 10th incident, stating that this incident has “the repudiation of all Puerto Ricans that cherish democracy and value the right of the people to be informed. There is no justification for the use of excessive force that we have seen through the media.”⁸ Also troubling is the fact that Puerto Rico’s Police Superintendent, Pedro Toledo, and Puerto Rico’s Attorney General, Roberto Sanchez Ramos, had no knowledge of the FBI’s operation prior to the execution of search warrants on February 10th.⁹ Given these reports, I am concerned that FBI agents in Puerto Rico may have used unnecessary and unreasonable force during the performance of their official duties.

Thank you for your consideration of this request.

Sincerely,


John Conyers, Jr.
Ranking Member

cc: Honorable Charles B. Rangel

⁴Daniela Gerson, “A Terrorism Raid in Puerto Rico Makes Waves in New York City,” *New York Sun*, February 13, 2006.

⁵*Id.*

⁶*Id.*

⁷Félix Jiménez, *The Killing of Filiberto Ojeda Rios*, THE NATION, October 7, 2005.

⁸Press Release, Governor Aníbal Acevedo Vilá, *Statement from Governor Aníbal Acevedo Vilá Regarding the Incident Between Agents from the FBI and Members of the Press* (February 10, 2006).

⁹EFE News Service, *Hundreds of Puerto Ricans Stage Anti-FBI Protest*, February 22, 2006.